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14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**

16 **SAN FRANCISCO DIVISION**

17 ASUS COMPUTER INTERNATIONAL,
18 INC.,

19 *Plaintiff,*

20 v.

21 ROUND ROCK RESEARCH, LLC,

22 *Defendant.*

23 ROUND ROCK RESEARCH, LLC,

24 *Counterclaim Plaintiff,*

25 v.

26 ASUSTEK COMPUTER INC. and ASUS
27 COMPUTER INTERNATIONAL, INC.,

28 *Counterclaim Defendant.*

Case No. 3:12-cv-02099-JST

**DECLARATION OF LAUREN M.
NOWIERSKI IN SUPPORT OF
DEFENDANT ROUND ROCK
RESEARCH, LLC'S OPPOSITION
TO ASUS'S MOTION FOR
SUMMARY JUDGMENT OF NON-
INFRINGEMENT**

1 I, Lauren M. Nowierski, declare as follows:

2 1. I am an attorney with the law firm Desmarais LLP, counsel for defendant Round
3 Rock Research, LLC ("Round Rock") in this action. I have personal knowledge of the information
4 presented herein, and if called as a witness, I could competently testify regarding the matters set
5 forth herein. I submit this declaration in support of Round Rock's Opposition to ASUS' Motion for
6 Summary Judgment of Non-Infringement.

7 2. Attached hereto as Exhibit 1 is a true and accurate copy of Round Rock Research,
8 LLC's Disclosure of Asserted Claims and Infringement Contentions Pursuant to Patent Local Rules
9 3-1 & 3-2, served on September 20, 2012.

10 3. Attached hereto as Exhibit 2 is a true and accurate copy of a letter from Gwen Brons
11 to Michael J. Engle dated September 20, 2012.

12 4. Attached hereto as Exhibit 3 is a true and accurate copy of Plaintiff's Preliminary
13 Invalidity Contentions Pursuant to Patent Local Rules 3-3, 3-4, & 3-5, served on November 8, 2012.

14 5. Attached hereto as Exhibit 4 is a true and accurate copy of Round Rock Research's
15 First Set of Requests to ASUS for the Production of Documents and Things (Nos. 1-57), served on
16 September 28, 2012.

17 6. Attached hereto as Exhibit 5 is a true and accurate copy of Round Rock Research's
18 Second Set of Requests for Production of Documents and Things to ASUS (Nos. 58-77), served on
19 August 26, 2013.

20 7. Attached hereto as Exhibit 6 is a true and accurate copy of Plaintiff and Counterclaim
21 Defendants ASUS Computer International's and ASUSTeK Computer Inc.'s Responses and
22 Objections to Round Rock Research's First Set of Requests for Production of Documents and Things
23 (Nos. 1-57), served on November 1, 2012.

24 8. Attached hereto as Exhibit 7 is a true and accurate copy of a letter from Goldie
25 Wilder to Paul A. Bondor dated November 8, 2012.

26 9. Attached hereto as Exhibit 8 is a true and accurate copy of Plaintiff and Counterclaim
27 Defendants ASUSTeK Computer Inc. and ASUS Computer International's First Request for
28 Production (No. 1), served on July 11, 2012.

1 10. Attached hereto as Exhibit 9 is a true and accurate copy of Plaintiff and Counterclaim
2 Defendants ASUSTeK Computer Inc. and ASUS Computer International's Second Set of Requests
3 for Production (Nos. 2-91), served on November 5, 2012.

4 11. Attached hereto as Exhibit 10 is a true and accurate copy of Round Rock Research
5 LLC's Responses and Objections to Plaintiff and Counterclaim Defendants ASUSTeK Computer
6 Inc. and ASUS Computer International's First Request for Production (No. 1), served on August 13,
7 2012.

8 12. Attached hereto as Exhibit 11 is a true and accurate copy of Round Rock Research
9 LLC's Responses and Objections to Plaintiff and Counterclaim Defendants ASUSTeK Computer
10 Inc. and ASUS Computer International's Second Set of Requests for Production (Nos. 2-91), served
11 on December 10, 2012.

12 13. Attached hereto as Exhibit 12 are true and accurate copies of: a letter from Gwen
13 Brons to Michael J. Engle dated August 28, 2012; a letter from Gwen Brons to Michael J. Engle
14 dated September 13, 2012; a letter from Jason Emden to Michael J. Engle dated September 19, 2012;
15 a letter from Gwen Brons to Michael Engle dated September 20, 2012, a letter from Lauren M.
16 Nowierski to Michael J. Engle dated September 28, 2012; a letter from Gwen Brons to Michael J.
17 Engle dated January 7, 2013; a letter from Gwen Brons to James Pistorino dated February 14, 2013;
18 an email chain containing an email from Morgan Lehmann to Michael J. Engle
19 (mengle@perkinscoie.com) dated March 14, 2013 and an email from Gwen Brons to Michael J.
20 Engle dated May 31, 2013; an email from Adriana Lawrence to Tawen Chang
21 (tchang@perkinscoie.com), Michael Engle (mengle@perkinscoie.com), John Schnurer
22 (jschnurer@perkinscoie.com); Jack Ko (jko@perkinscoie.com), and James Pistorino
23 (jpistorino@perkinscoie.com) dated July 23, 2013; an email from Adriana L. Lawrence to Tawen
24 Chang (tchang@perkinscoie.com), Michael Engle (mengle@perkinscoie.com), John Schnurer
25 (jschnurer@perkinscoie.com); Jack Ko (jko@perkinscoie.com), James Pistorino
26 (jpistorino@perkinscoie.com), and Miguel Bombach (mbombach@perkinscoie.com) dated August
27 1, 2013; and an email from Lauren M. Nowierski to Tawen Chang (tchang@perkinscoie.com), John
28

1 Schnurer (jschnurer@perkinscoie.com), James Pistorino (jpistorino@perkinscoie.com), and
2 Michael Engle (mengle@perkinscoie.com), dated August 23, 2013.

3 14. Attached hereto as Exhibit 13 is a true and accurate copy of Round Rock Research
4 LLC's First Set of Interrogatories to ASUS (Nos. 1-11), served on October 5, 2012.

5 15. Attached hereto as Exhibit 14 is a true and accurate copy of Plaintiff and
6 Counterclaim Defendants ASUSTeK Computer Inc. and ASUS Computer International's Responses
7 and Objections to Round Rock Research LLC's First Interrogatories to ASUS (Nos. 1-11), served on
8 November 8, 2012, which was designated "Highly Confidential – Attorneys' Eyes Only Pursuant To
9 Patent Local Rule 2-2." **FILED UNDER SEAL.**

10 16. Attached hereto as Exhibit 15 is a true and accurate copy of Plaintiff and Counterclaim
11 Defendants ASUSTeK Computer Inc. and ASUS Computer International's First Set of
12 Interrogatories (Nos. 1-14), served on November 11, 2012.

13 17. Attached hereto as Exhibit 16 is a true and accurate copy of Round Rock Research's
14 Objections and Responses to ASUS's First Set of Interrogatories (Nos. 1-14), served December 10,
15 2012, which was designated "Highly Confidential – Attorneys' Eyes Only Pursuant To Patent Local
16 Rule 2-2." **FILED UNDER SEAL.**

17 18. Attached hereto as Exhibit 17 is a true and accurate copy of a letter from Lauren M.
18 Nowierski to John P. Schnurer dated January 24, 2013.

19 19. Attached hereto as Exhibit 18 is a true and accurate copy of a letter from James
20 Pistorino to Lauren M. Nowierski dated February 19, 2013.

21 20. Attached hereto as Exhibit 19 is a true and accurate copy of ASUSTeK Computer
22 Inc.'s and ASUS Computer International's First Supplemental Responses to Interrogatories (Nos. 3-
23 5), served on April 30, 2013, which was designated "Highly Confidential – Attorneys' Eyes Only
24 Pursuant To Patent Local Rule 2-2." **FILED UNDER SEAL.**

25 21. Attached hereto as Exhibit 20 are true and accurate copies of Round Rock's Notice of
26 Subpoena to Himax Imaging Incorporated, dated January 9, 2013; Round Rock's Notice of
27 Subpoena to Kingston Technology Company, dated January 9, 2013; Round Rock's Notice of
28

1 Subpoena to Omnivision Technologies, Inc., dated January 9, 2013; and Round Rock's Notice of
2 Subpoena to Pixart Imaging, Inc., served January 9, 2013.

3 22. Attached hereto as Exhibit 21 are true and accurate copies of ASUS Computer
4 International's and ASUSTeK Computer Inc.'s Notice of Subpoena to Micron Technology, Inc.,
5 dated June 5, 2013; ASUS Computer International's and ASUSTeK Computer Inc.'s Notice of
6 Subpoena to Toshiba America Electronic Components, Inc., dated June 17, 2013; and ASUS
7 Computer International's and ASUSTeK Computer Inc.'s Notice of Subpoena to Hynix
8 Semiconductor Manufacturing America Inc. and SK Hynix America, Inc., dated June 26, 2013.

9 23. Attached hereto as Exhibit 22 is a true and accurate copy of a letter from James
10 Pistorino to Lauren M. Nowierski dated October 10, 2012

11 24. Attached hereto as Exhibit 23 is a true and accurate copy of a letter from Lauren M.
12 Nowierski to James Pistorino dated October 12, 2012.

13 25. Attached hereto as Exhibit 24 is a true and accurate copy of a letter from James
14 Pistorino to Lauren M. Nowierski dated October 22, 2012.

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17 I declare under penalty of perjury that the foregoing is true and correct.

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20 Executed on September 14, 2013, in New York, New York.

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22 

23 Lauren M. Nowierski
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